

H 3475 PCT/US  
Serial No. 09/806,961

Art Unit 1712

### REMARKS

Claims 18-19, 23-33 and 35-43 have been cancelled from consideration in this application for being drawn to non-elected species. Claim 15 has been amended as necessitated by the restriction requirement set forth by the Examiner in the previous Office Action. Claims 16 and 17 have been cancelled because they fail to further limit the scope of claim 15, as presently amended. Applicants explicitly state that the cancellation of subject matter herein is done without prejudicing their rights to prosecute such non-elected material in subsequent divisional applications.

Claims 15-17, 21, 22 and 34 are rejected under 35 USC 103(a) as being unpatentable over Mulhaupt et al. This reference discloses epoxy resins that exhibit high peel strength and reduced crack propagation as a result of mixing certain combinations of strength modifiers with the epoxy resins (col 1, lines 35-40). The Examiner has indicated that more favorable reconsideration would be given the claimed subject matter in view of Mulhaupt et al. if product (b) were limited to "a phenolic or amino groups-terminated reaction product of an anhydride or carboxyl groups-containing (anhydride or dianhydride)/(diamine or polyamine) condensate wherein the terminal phenolic or amino groups are provided by reaction with at least one polyphenol or aminophenol". Applicants respectfully submit that the original text of claim 15 which defines product (b), in fact, discloses such a reaction product. Accordingly, no amendment was deemed necessary to further limit the scope of product (b) in concert with the Examiner's suggestion. If Applicants are mistaken in this understanding, they cordially request further direction from the Examiner.

Claims 15-17, 21, 22 and 34 are rejected under 35 USC 103(a) as being unpatentable over Kiyohara et al. in view of Mulhaupt et al. The primary references disclose a resin having

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improved solubility in solvents, improved mechanical strength, increased thermal resistance and low dissolution after processing. One of the objectives of Mulhaupt et al. was to improve peel strength and reduce crack propagation in an epoxy resin. It may be argued that it would not have been obvious to have looked to the compositions of Mulhaupt et al. to solve the problems addressed by Kiyohara et al. Nonetheless, as with Mulhaupt et al., the Examiner has indicated that more favorable consideration would be given Applicants' claimed invention with respect to Kiyohara et al. if product (b) were limited as pointed out hereinabove. Applicants' comments with respect to this previously considered rejection apply to this rejection, as well.

Accordingly, Applicants respectfully submit that the amended claims set forth patentable subject matter. Therefore, the timely issuance of a notice of allowance is cordially solicited. The Commissioner is authorized to charge any deficiency in the required fee or to credit any overpayment made in connection with this amendment to Deposit Account 01-1250.

Applicants also ask that the shortened statutory period to respond to the Office Action of May 21, 2003, be extended two months from August 21, 2003 to October 21, 2003. Please charge our Deposit Account No. 01-1250 in the amount of \$420.00 for the extension fee. Order No. 03-0471.

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